IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL WRIT PETITION NO. 10 OF 2005

SHRI PEREGRINO COSTA, MARGAO GOA ....Petitioners

Versus

THE DEPUTY SUPERINTENDENT OF POLICE AND 8 ORS., ...Respondents

Mr. M. P. Almeida, advocate for the petitioner.
Mr. S. N. Sardessai, P.P. for respondent nos.1 & 2.
Mr. Sudesh Usgaokar, advocate for respondent no.3.
Mr. V. P. Thali, advocate for respondent no.4.
Mr. Menino Pereira, advocate for respondent no.6.
Mr. S. S. Kantak, Advocate General with Ms. Winnie Coutinho, Govt. Advocate for respondent nos.7 to 9.

Coram:- S.S. PARKAR &
V.M. KANADE, JJ.

Date:- 8th August, 2005

P.C.

We are informed by the counsel for respondent nos.1 and 2, that the complaint of the petitioner was registered and the investigation has commenced. Three accused pesons have applied for anticipatory bail, which is pending for decision before the Sessions Court. We are further informed that in the course of investigation, statements of the witnesses have been recorded and further investigation will continue after the decision on the applications for anticipatory bail preferred by the accused persons is given.

The petitioner, who is personally present today in the Court alongwith his advocate, has given in writing an application, stating inter alia, that in view of the fact that the investigation of the matter is in progress, he seeks permission to withdraw this petition. The said application is taken on record and marked "X" for identification.

The petition was filed with a grievance that inspite of his complaint the offence was not being investigated. After the filing of the petition, progress has been made in investigating the offence and, therefore, there is no question of withdrawal of the petitioner as such. What the petitioner wants is that he does not desire to pursue this petition further as progress has been made in the investigation of the complaint lodged by him.

In view of the above, no further order is necessary to be passed in this petition and, it shall therefore stand disposed of. It is hoped that the disposal of this petition will not slow down the investigation and the investigating agency will continue the action in accordance with law on the complaint filed by the petitioner.

S.S. PARKAR, J.

V.M. KANADE, J.